

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

ANGELO FEARS	:	CASE NO: 1:01-CV-183
Petitioner	:	Judge Walter H. Rice
- vs -	:	Magistrate Judge Michael R. Merz
MARGARET BAGLEY, WARDEN	:	<b><u>MOTION FOR</u></b>
Respondent	:	<b><u>EXTENSION OF</u></b>
	:	<b><u>TIME TO FILE REPLY TO</u></b>
	:	<b><u>WARDEN'S REPOSE</u></b>
	:	

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Comes now the Petitioner, and moves this court for an order permitting him to file his Reply to the Warden's Response to Fears' Objections to Magistrate's Report until close of business on June 30, 2006 all for the reasons more fully set forth herein.

**MEMORANDUM IN SUPPORT**

Petitioner's lead habeas counsel has been overwhelmed. Counsel for Petitioner has a deposition scheduled for May 26, 2006 in Bellefontaine, Ohio in the wrongful death case of James Hagan, Executor vs. Ohio Presbyterian Retirement Services case number CV 2005 04 1153. Depositions are also scheduled for June 14, 2006 in the above referenced case in Tampa, Florida and June 19, 2006 through June 22, 2006 in San Francisco, California and Newark, New Jersey.

Counsel for Petitioner is also scheduled to leave for Florida in a Ryder truck on May 31, 2006 to move his two sons to Winter Park, Florida so they can begin classes at Full Sail School June 24, 2006.

Pursuant to Loc. R. 7.3(a), Counsel for Petitioner contacted Mr. Stephen Maher, Assistant Ohio Attorney General today's date for his consent and Mr. Maher has no objection to the extension that is being requested.

For all the foregoing reasons, counsel asks the court to further extend the deadline for Reply to the Warden's Response to Fears' Objections to Magistrate's Report.

Respectfully submitted:

s/Lawrence J. Greger  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion was electronically served on Stephen Maher, Assistant United States Attorney.

s/Lawrence J. Greger  
Lawrence J. Greger